IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

CIVIL APPLICATION NO. 1139 OF 2003
IN
SECOND APPEAL NO. 1141 OF 2004

Office Notes, Office Memoranda of of Coram, appearances, Court's orders and Registrar's orders : Court's or Judge's orders

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CORAM: P.V. KAKADE, J.

DATED: 28TH OCT., 2004

P.C.:

1. Heard learned counsel for both parties.

2. This is an application for condonation of delay of 238 days' in filing the second appeal.

3. After hearing both parties, it is seen that the delay appears to be properly explained. The learned counsel for the respondents sought to submit that the reasons given for delay are false on the basis of copy of the application for certified copy annexed to the petition. However, the reasons mentioned in the application appear to be cogent and therefore reliable.

Under the circumstances, the application is made absolute in terms of prayer clauses (a)

and (b) on condition that the cost of Rs.1000/- be paid by the applicant, out of which, amount of Rs.500/- shall be donated to the Kirtikar Library and the remaining amount of Rs.500/- shall be paid to the respondents within one week from the date of this order.

Application stands disposed of.

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